

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SAMUEL POWERS,

Defendant.

Case No.: 2:13-cr-00187-GMN-CWH

ORDER

Pending before the Court is *pro se* Defendant Samuel Power's ("Defendant") Motion for Judicial Recommendation for Placement in a Residential Reentry Center/Halfway House, (ECF No. 36). The Government filed a Response, (ECF No. 37), indicating that it takes no position on this matter.

In his Motion, Defendant requests that the Court issue an order recommending to the Bureau of Prisons that Defendant be placed in a residential reentry center ("RRC") for twelve months. (Mot. at 1). Defendant indicates that an "RCC/Halfway House will provide [him] with more time to find a job, secure health insurance, acquire housing [and] figure out [his] transportation." (*Id.*).

Title 18, United States Code, Section 3624(c) addresses the placement of a prisoner during the final portion of his sentence. It provides:

The Director of the Bureau of Prisons shall, to the extent practicable, ensure that a prisoner serving a term of imprisonment spends a portion of the final months of that term (not to exceed 12 months), under conditions that will afford that prisoner a reasonable opportunity to adjust to and prepare for the reentry of that prisoner into the community. Such conditions may include a community correctional facility.

1 18 U.S.C. § 3624(c). Federal law also provides that a sentencing court may make a
2 recommendation that a prisoner serve a term of imprisonment in an RRC. 18 U.S.C. § 3621(b).
3 But the recommendation has no binding effect. *Id.*

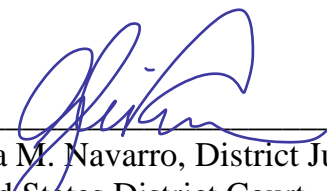
4 Here, Defendant maintains, *inter alia*, that during his incarceration, he completed his
5 English degree from the University of Nevada, Las Vegas and received good grades; he has
6 immersed himself in the prison's music program; he is on the waitlist for the Non-Residential
7 Drug Abuse Program; he has not obtained a "single write-up"; and he has been learning
8 Spanish. (Mot. at 2). Based on these representations, Defendant requests that the Court make a
9 judicial recommendation to the Bureau of Prisons in favor of Defendant's early RRC
10 placement. (*Id.*).

11 Upon review and consideration, the Court does not find sufficient basis to grant
12 Defendant's request. Defendant's representations do not persuade the Court that he is an
13 appropriate candidate for early RRC placement.

14 Accordingly,

15 **IT IS HEREBY ORDERED** that Defendant's Motion for Judicial Recommendation for
16 Placement in a Residential Reentry Center/Halfway House, (ECF No. 36), is **DENIED**.

17 **DATED** this 13 day of November, 2019.

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Gloria M. Navarro, District Judge
United States District Court